AMENDMENTS TO THE DRAWINGS

Please replace Figures 6, 7, 8, 9, 10, and 11 with the attached replacement sheets.

The reference numbers in Figures 6, 7, 8, 9, 10 and 11 have been renumbered. No new matter has been added by way of the amendments to the drawings.

The Examiner is respectfully requested to approve the proposed drawing changes.

Attachments:

Replacement sheets;

Annotated sheets.

REMARKS

Claims 1-27 are pending. Claims 10-27 have been canceled without prejudice. Claims 1 and 4-9 have been amended and claims 28-31 have been added.

Claims 1, 10 and 19 have been amended to recite in part "storing said ensemble filter in a computer readable medium, said ensemble filter being accessible by computer readable program code for filtering and selecting documents." Support for these amendments is found in the specification at, *inter alia*, Paragraph [0281]. Claims 1, 10 and 19 have also been amended to clarify the scope of protection sought. Claims 4-9, 13-18, and 22-27 have been amended to correspond to claims 1, 10 and 19.

New claims 28-29 have been added to round out the scope of protection sought. Support for these claims may be found in the specification at least at, for example, original claims 1, 10 and 19.

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

CLAIM REJECTION – 35 U.S.C. § 112

Claims 1-27 have been rejected as allegedly failing to comply with the enablement requirement of 35 U.S.C. § 112, first paragraph. Claims 1, 10 and 19 have been rejected for allegedly reciting the use of a process without setting forth any steps involved in the process. Claims 2-9, 11-18 and 20-27 have been rejected by virtue of their dependency. The Examiner specifically had concerns about the recitation of "using" and claims 1, 10 and 19 have been amended to remove this language.

Additionally, claims 1, 10 and 19 have been rejected for lack of support in the specification. Claims 2-9, 11-18 and 20-27 have been rejected by virtue of their dependency. In this regard the Examiner asserted that the specification did not include a "remainder profile" and a "first sub-filter." It is believed that one of skill in the art would understand these limitations in view of the disclosure. Nevertheless, to expedite prosecution, this language has been removed from the claims.

Thus claims 1, 10 and 19 have been amended to address the Examiner's rejection and Applicant asserts that they are in a condition for allowance. Claims 2-9, 11-18 and 20-27 are also in a condition for allowance by virtue of their dependence from claim 1, 10 and 19.

Claims 1-27 have been rejected as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention under 35 U.S.C. § 112, second paragraph. Specifically, claims 1, 10 and 19 have been rejected because "[t]he scope of the invention cannot be determined because the difference, if any, between . . . sets of documents [recited in claim 1] is difficult to determine." Office Action dated 8/30/06, page 4. Claims 1, 10 and 19 have been amended to recite, among other things "a first set of documents," "a second set of documents," "a third set of documents," and "a fourth set of documents."

Applicant submits that the metes and bounds of the claims with respect to the recited sets of documents are readily apparent to one of ordinary skill in the art. Applicant asserts that claims 1, 10 and 19 are in a condition for allowance. Claims 2-9, 11-18 and 20-27 are also in a condition for allowance by virtue of their dependence from claims 1, 10 and 19.

CLAIM REJECTION – 35 U.S.C. § 101

Claims 1-27 have been rejected as failing to meet the requirements of 35 U.S.C. § 101 because the claims allegedly recite a use without setting forth any steps involved in the process, thereby resulting in an improper definition of a process.

Applicant understands that the Examiner's rejection under § 101 has substantially the same basis as the § 112 lack of enablement rejection. As such, the amendments to address the § 112 rejection are equally applicable to the § 101 rejection. Therefore Applicant asserts that claim 1 is in a condition for allowance.

CLAIM REJECTION – 35 U.S.C. § 102

Claims 1-27 have been rejected as allegedly anticipated under 35 U.S.C. § 102(e) by U.S. Patent Application Publication No. 2004/0039786 to Horvitz *et al.* ("Horvitz CIP"). Applicant asserts that the rejection is improper and should be withdrawn.

Horvitz CIP is a continuation-in-part application of two U.S. patent applications. The first is U.S. Patent Application Serial No. 10/220,550 filed August 30, 2002 ("Horvitz Parent I"). Horvitz Parent I is a § 371 U.S. national stage application based on international application

PCT/US01/08710, which was filed on March 16, 2001. The second is U.S. Patent Application Serial No. 10/220,419 filed April 1, 2003 ("Horvitz Parent II"). Horvitz Parent II is a § 371 U.S. national stage application based on international application PCT/US01/08711, which was filed on March 16, 2001. Additionally, Horvitz Parent I, Horvitz Parent II and the Horvitz CIP all claim the priority of U.S. Provisional Application 60/189,801 filed on March 16, 2000 ("Horvitz Provisional").

Horvitz Parent I is directed to priorities generation and management. Specifically, Horvitz Parent I discloses a system that automatically prioritizes electronic messages according to a learned importance to a user. For example, messages are classified as high, medium, or low importance by utilizing a training set of examples or other messages having similar degrees of importance to create user priority profiles. *See* Horvitz Parent I Abstract.

Horvitz Parent I discloses a technique of classification wherein a classifier maps an input attribute vector to a confidence that the input belongs to a class. Page 8, Lines 27-29. As shown in Figure 3, new messages are labeled, tagged and/or sorted into one or more folders according to the priorities (*e.g.,* high, medium or low) assigned by the classifier. Page 15, Lines 21-22. However, this reference fails to disclose combining filters to create an ensemble filter.

Horvitz Parent II is directed to notification platform architecture. Specifically, Horvitz Parent II discloses a system and method that enables a variety of information associated with one or more notification sources to be directed to one or more notification sinks via a notification platform architecture. The architecture includes a context analyzer that determines a user's status such as location and attention focus. A notification manager utilizes the user's status information to determine when and how information generated by the notification sources should be forwarded to the notification sinks. *See* Horvitz Parent II Abstract. Horvitz Parent II relates specifically to notification. This reference also fails to disclose combining filters to create an ensemble filter.

In contrast to both Horvitz Parent I and Horvitz Parent II, claim 1 as amended recites "combining said first filter with said second filter to create an ensemble filter." Therefore, because Horvitz Parent I and Horvitz Parent II fail to recite all of the features of claims 1 these references are not anticipatory. Further, the Horvitz Provisional has been reviewed and it is respectfully submitted that it does not disclose all of the claimed features. Thus the combination of features relied upon by the Office in the Horvitz CIP in the present rejection is not entitled to the earlier filing dates of either the Horvitz Provisional, Horvitz Parent I or Horvitz Parent II.

Accordingly, for purposes of the Office's rejection, the combination of features from the Horvitz CIP relied upon cannot have a priority date earlier than the filing date of Horvitz CIP (June 30, 2003). Therefore, because claims 1, 10 and 19 are entitled to a priority date of November 15, 2002 by virtue of U.S. Provisional Application 60/426,826, claims 1, 10 and 19 are not properly anticipated by the Horvitz CIP.

Thus the applied references do not anticipate claims 1, 10 and 19, and therefore the § 102(e) rejection should be withdrawn. Claims 2-9, 11-18 and 20-27 are allowable at least by virtue of dependency.
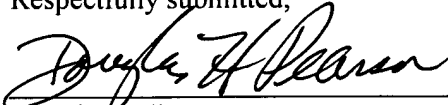
NEW CLAIMS

Claims 28-29 are distinguishable for reasons similar to those set forth above for claims 1-27 and are therefore considered patentable over the cited references for at least these reasons.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: January 30, 2007

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Appendix A

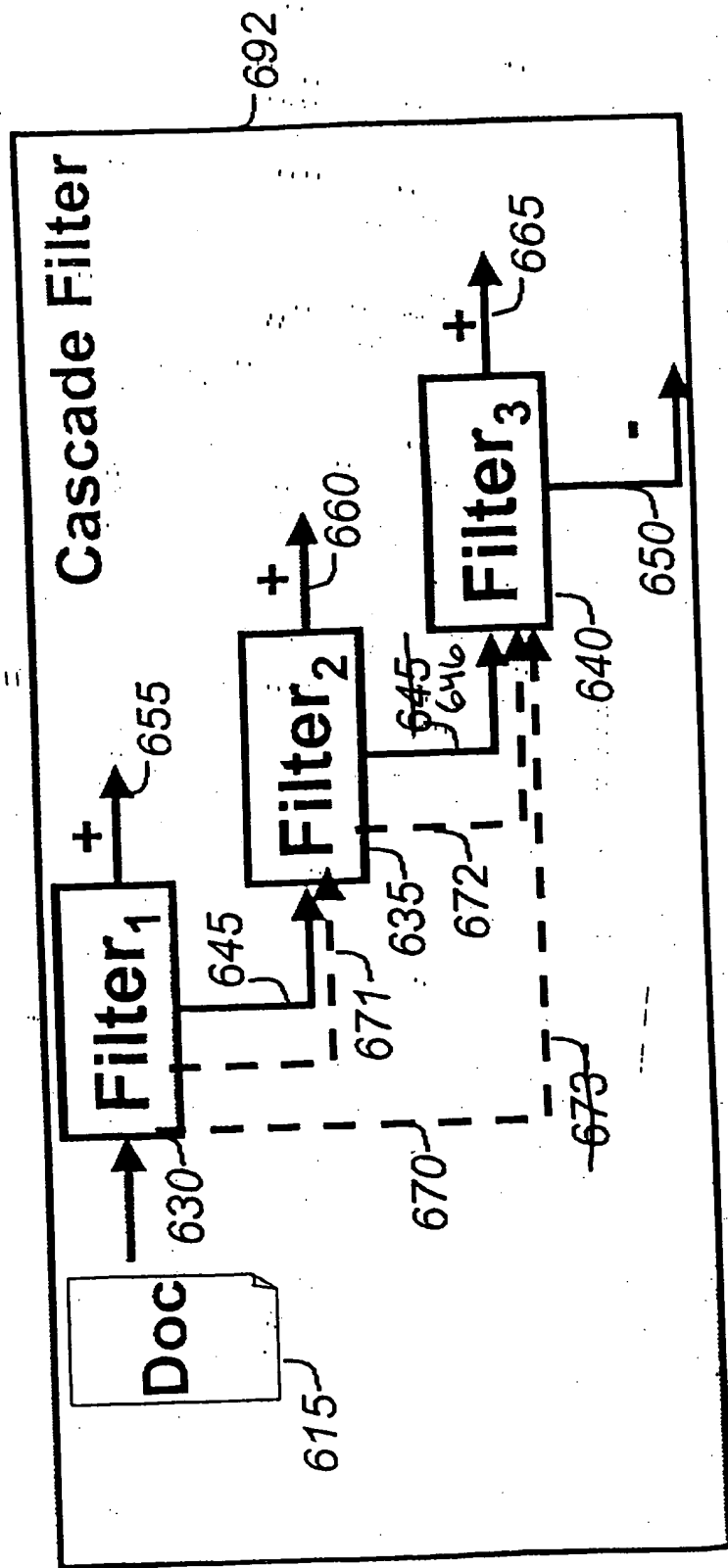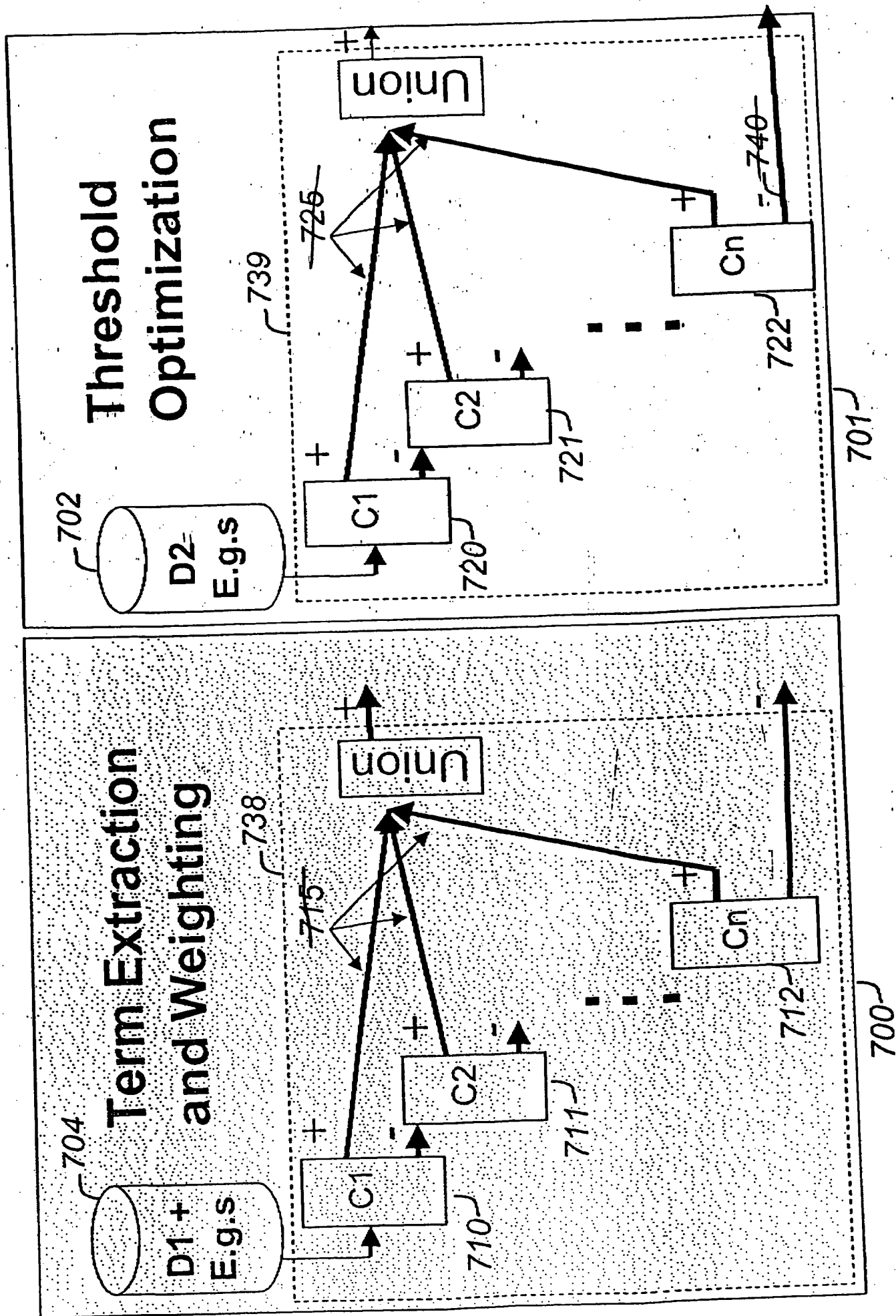## Revised Figures (see attached copies)

Figure 6

Annotated Sheet

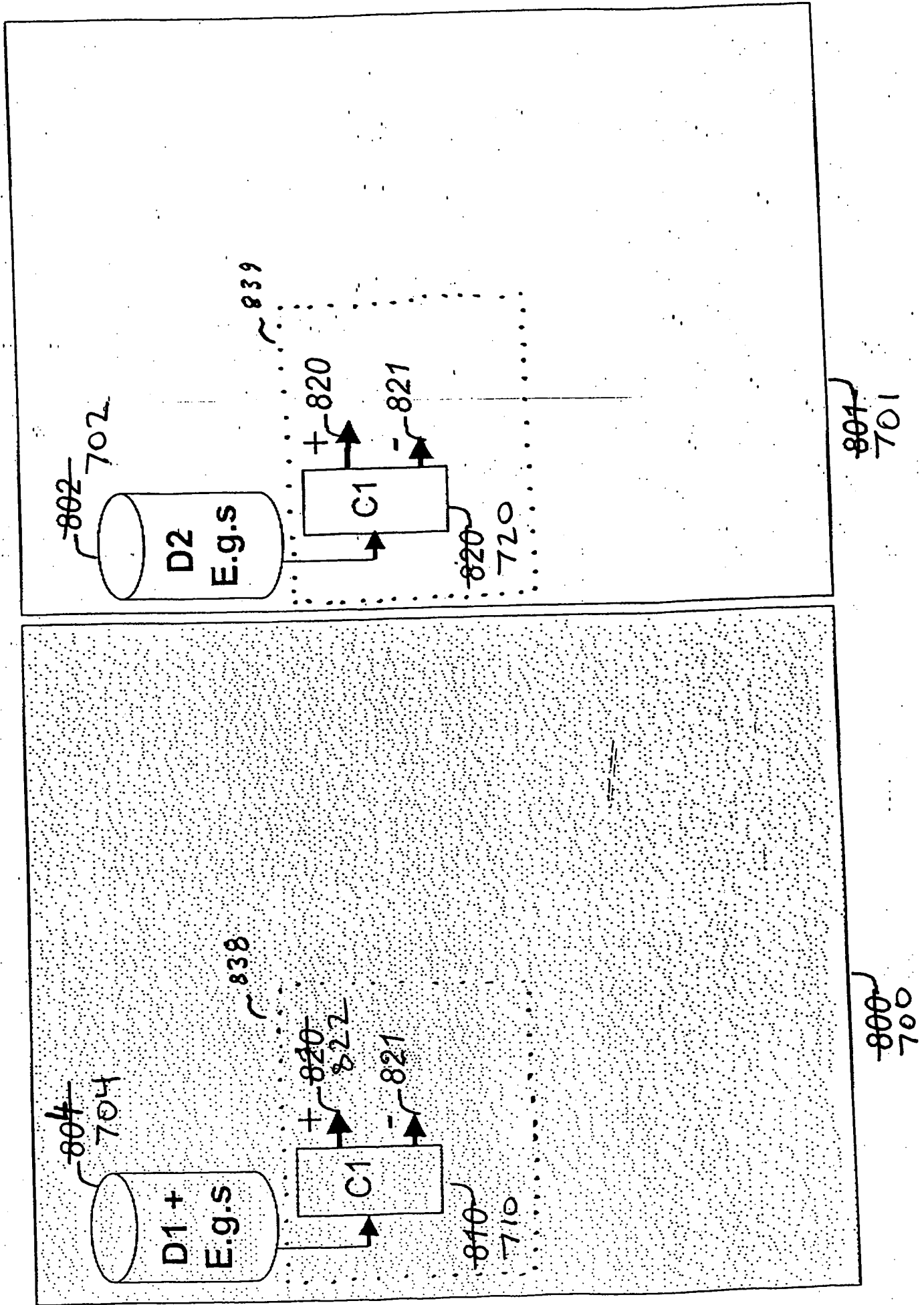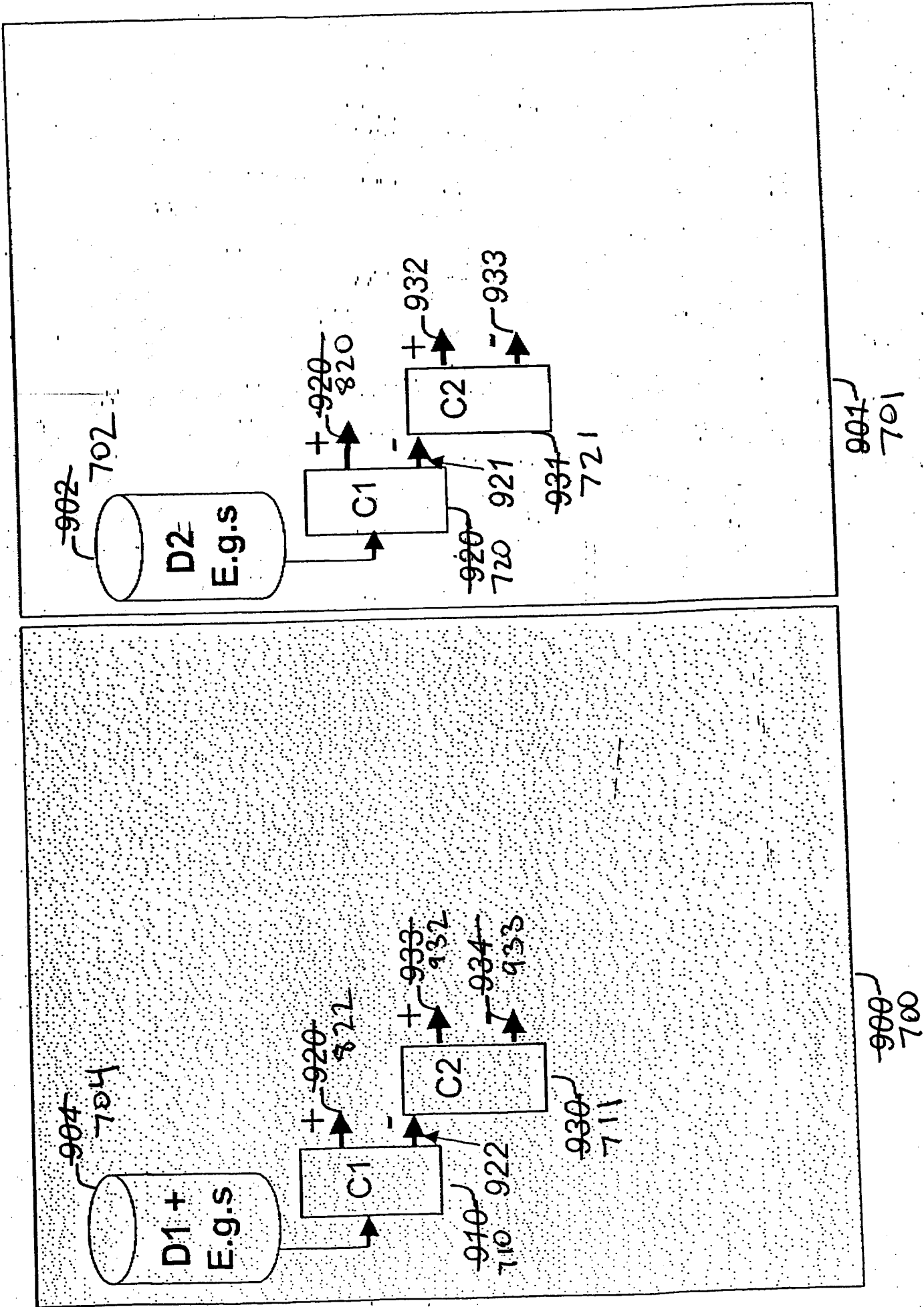Cascade Filter — 692

Doc — 615, 630 → Filter₁ — 655, 645 → Filter₂ — 660, 645, 635 → Filter₃ — 665, 650

670, 671, 672, 673, 640, 646

Figure 7

Threshold Optimization
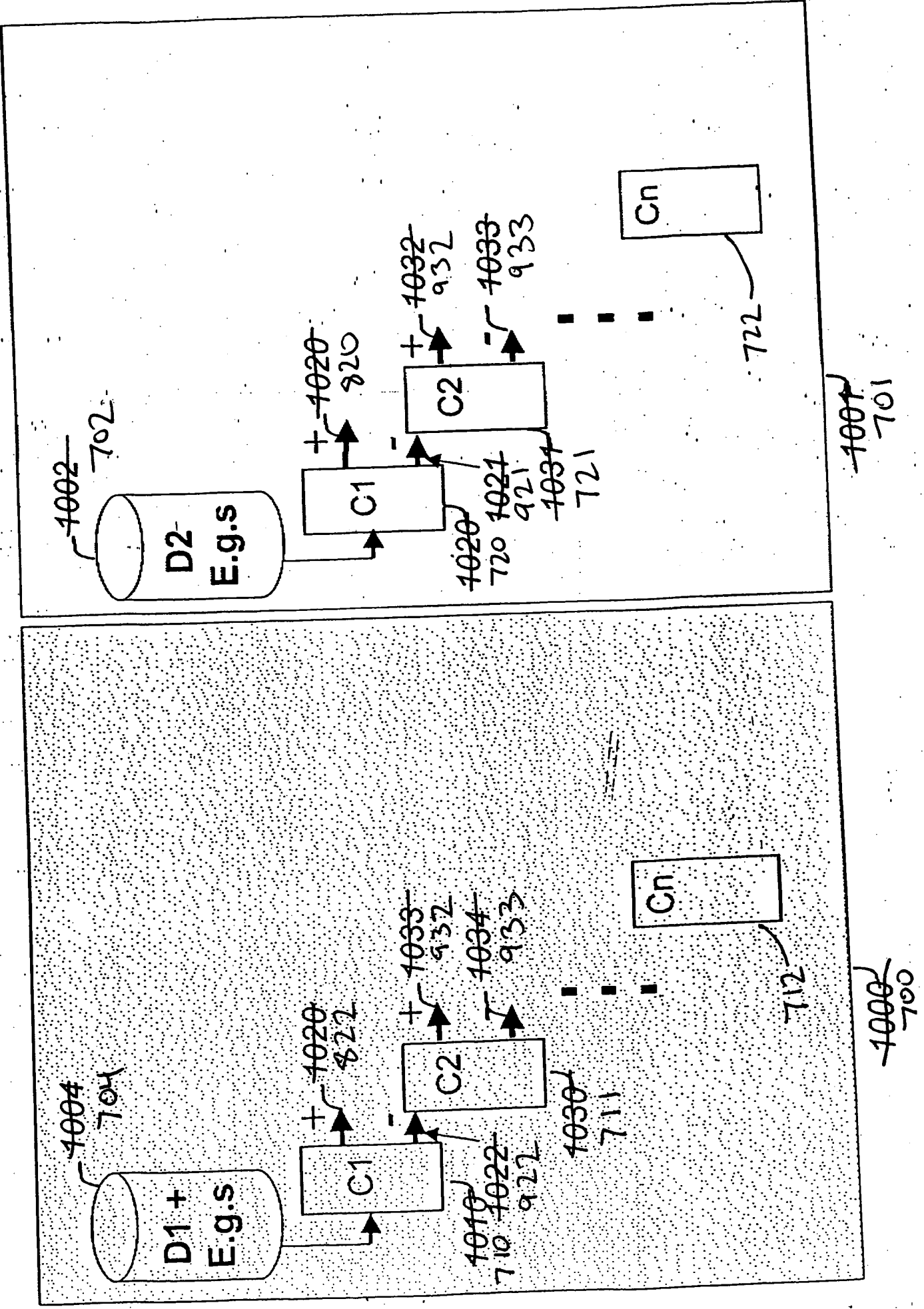
Term Extraction and Weighting

Figure 8

Annotated Sheet

Figure 9

Figure 10

ANNOTATED SHEET

Figure 11

ANNOTATED SHEET